

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BRIAN MURRY,**

**Plaintiff,**

**v.**

**MEDRISK, INC.,**

**Defendant.**

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**CIVIL ACTION**

**NO. 18-0445**

**ORDER**

**AND NOW**, this \_\_21st\_\_ day of February, 2019, **IT IS HEREBY ORDERED AND DECREED** that this case is **DISMISSED** pursuant to Federal Rule of Civil Procedure 41(b) for lack of prosecution and due to Plaintiff's failure to comply with the Court's Order dated January 16, 2019 (Doc. 14).<sup>1</sup>

**IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss for Lack of Prosecution (Doc. 15) is **DISMISSED AS MOOT** and the Clerk of Court shall mark this case as **CLOSED**.

**BY THE COURT:**

**/s/ Petrese B. Tucker**

**Hon. Petrese B. Tucker, U.S.D.J.**

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<sup>1</sup> On November 28, 2018, Plaintiff's counsel sought permission to withdraw because counsel had been unable to locate Plaintiff and coordinate with him regarding this case. By Order dated December 17, 2018, the Court denied Plaintiff's request to withdraw to ensure that Plaintiff had sufficient notice that his counsel sought to withdraw from the case. Order, Doc. 13. The Court directed Plaintiff's counsel to attempt service of counsel's motion to withdraw on Plaintiff again by certified mail. Later, Plaintiffs' counsel submitted a status report to the Court explaining that despite efforts to serve Plaintiff with counsel's motion to withdraw and efforts to locate Plaintiff, including employing a private investigator, Plaintiff could not be found. Accordingly, on January 16, 2019, the Court granted Plaintiff's counsel's request to withdraw and provided Plaintiff with thirty days in which to retain new counsel. Having received no communication from Plaintiff, Plaintiff's case is dismissed for lack of prosecution.